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Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

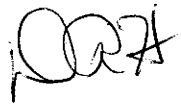
Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Internal
C0150015
#3649
OK

January 4, 2011

TO: Internal File

FROM: Daron R. Haddock, Permit Supervisor 

RE: Compliance Review for Section 510 (c) Findings – Emery Deep Mine, Consolidation Coal Company, C/015/0015, Task ID #3649

As of the writing of this memo, there are no NOVS or COs which are not corrected or in the process of being corrected. There are no finalized Civil Penalties, which are outstanding and overdue in the name of Consolidation Coal Company. Consolidation Coal Company does not demonstrate a pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

The recommendation from the Applicant Violator System (AVS) denotes that all connected entities either do not have any civil penalties or are under a settlement agreement (attached).

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Permit Evaluation

Permit Number ACT015015
 Permittee Name 107373 Consolidation Coal Co
 Date of Evaluation 1/4/2011 1:41:34 PM
 Requested Individual suzanne.steab

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

18 Violations Found.

1: Bond Forfeiture	<u>2985329</u>	KY	Permit:2985329	Outstanding	5/14/1987
Violator 1:	078176 Adkins & Webb Inc				
2: State Civil Penalty	<u>053004</u>	KY	Permit:2985329	Outstanding	3/27/1986
Violator 1:	078176 Adkins & Webb Inc				
3: Bond Forfeiture	<u>2985332</u>	KY	Permit:2985332	Outstanding	8/19/1988
Violator 1:	108056 J & H Coal Co				
4: State Civil Penalty	<u>053764</u>	KY	Permit:2985332	Outstanding	9/18/1987
Violator 1:	108056 J & H Coal Co				
5: State Civil Penalty	<u>054149</u>	KY	Permit:2985332	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
6: Bond Forfeiture	<u>4985319</u>	KY	Permit:4985319	Outstanding	1/20/1989
Violator 1:	034732 Price Coal Co				
7: State Civil Penalty	<u>053671</u>	KY	Permit:4985319	Outstanding	5/22/1987
Violator 1:	034732 Price Coal Co				
8: State Civil Penalty	<u>054020</u>	KY	Permit:4985319	Outstanding	4/26/1988
Violator 1:	034732 Price Coal Co				
9: State Civil Penalty	<u>054058</u>	KY	Permit:4985319	Outstanding	11/20/1987
Violator 1:	034732 Price Coal Co				
10: State Civil Penalty	<u>054148</u>	KY	Permit:4985319	Outstanding	3/24/1988
Violator 1:	034732 Price Coal Co				
11: State Civil Penalty	<u>054323</u>	KY	Permit:4985319	Outstanding	6/15/1988
Violator 1:	034732 Price Coal Co				
12: Bond Forfeiture	<u>6985333</u>	KY	Permit:6985333	Outstanding	1/16/1990
Violator 1:	108056 J & H Coal Co				
13: State Civil Penalty	<u>053568</u>	KY	Permit:6985333	Outstanding	6/5/1987
Violator 1:	108056 J & H Coal Co				
14: State Civil Penalty	<u>053757</u>	KY	Permit:6985333	Outstanding	7/6/1987
Violator 1:	108056 J & H Coal Co				
15: State Civil Penalty	<u>053934</u>	KY	Permit:6985333	Outstanding	10/2/1987
Violator 1:	108056 J & H Coal Co				
16: State Civil Penalty	<u>054316</u>	KY	Permit:6985333	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
17: State Civil Penalty	<u>054442</u>	KY	Permit:6985333	Outstanding	6/15/1988
Violator 1:	108056 J & H Coal Co				
18: State Civil Penalty	<u>504587</u>	KY	Permit:8985157	Outstanding	8/23/1988
Violator 1:	007928 Past Coal Company Incorporated				

Evaluation OFT

 Entities: 52

124819 Consol Energy Inc - ()
 ---107373 Consolidation Coal Co - (Subsidiary Company)
 -----118427 J Brett Harvey - (Chairman of the Board)
 -----118427 J Brett Harvey - (Chief Executive Officer)

-----118427 J Brett Harvey - (Director)
 -----127689 Rodney E Ford - (Assistant Secretary)
 -----132176 William J Lyons - (Director)
 -----134273 Robert P King - (Director)
 -----134273 Robert P King - (Vice President)
 -----135906 Bart J Hyita - (Chief Operations Officer)
 -----135906 Bart J Hyita - (Director)
 -----135906 Bart J Hyita - (President)
 -----139593 Robert F Pusateri - (Director)
 -----140338 Steven R Stroupe - (Assistant Secretary)
 -----152005 Nicholas J DeIulio - (Director)
 -----154545 Jack K Richardson - (Vice President)
 -----155925 P Jerome Richey - (Director)
 -----156239 Lorraine L Ritter - (Assistant Secretary)
 -----156239 Lorraine L Ritter - (Controller)
 -----158031 Louis Barletta Jr - (Vice President)
 -----158032 Daniel S Cangilla - (Treasurer)
 -----158150 Jimmy A Brock - (Vice President)
 -----159673 Alexander J Reyes - (Secretary)
 -----247139 Charles T Shaynak - (Vice President)
 -----248744 William D Gillenwater - (Vice President)
 -----248747 Robert M Belesky - (Vice President)
 -----248777 David W Kelly - (Vice President)
 ---118427 J Brett Harvey - (Chairman of the Board)
 ---118427 J Brett Harvey - (Chief Executive Officer)
 ---118427 J Brett Harvey - (Director)
 ---118427 J Brett Harvey - (President)
 ---122200 Randall M Albert - (Senior Vice President)
 ---125002 Phillip W Baxter - (Director)
 ---125002 Phillip W Baxter - (Shareholder)
 ---128701 John T Mills - (Director)
 ---132175 John M Reilly - (Treasurer)
 ---132175 John M Reilly - (Vice President)
 ---132176 William J Lyons - (Chief Financial Officer)
 ---132176 William J Lyons - (Executive Vice President)
 ---133137 James J McCaffrey - (Senior Vice President)
 ---134273 Robert P King - (Executive Vice President)
 ---135906 Bart J Hyita - (Chief Operations Officer)
 ---139593 Robert F Pusateri - (Executive Vice President)
 ---146302 Raj K Gupta - (Director)
 ---146635 Joseph T Williams - (Director)
 ---147650 John L Whitmire - (Chairman of the Board)
 ---147650 John L Whitmire - (Director)
 ---147650 John L Whitmire - (Shareholder)
 ---148713 Gary J Bench - (Shareholder)
 ---151262 Patricia A Hammick - (Director)
 ---152005 Nicholas J DeIulio - (Chief Operations Officer)
 ---152005 Nicholas J DeIulio - (Vice President)
 ---152015 Albert A Aloia - (Senior Vice President)
 ---154540 James Sr E Altmeyer - (Director)
 ---154541 William E Davis - (Director)
 ---154543 William P Powell - (Director)
 ---154545 Jack K Richardson - (Vice President)
 ---155925 P Jerome Richey - (Corporate Officer)
 ---155925 P Jerome Richey - (Executive Vice President)
 ---155925 P Jerome Richey - (Secretary)
 ---155925 P Jerome Richey - (Vice President)
 ---156239 Lorraine L Ritter - (Controller)
 ---156239 Lorraine L Ritter - (Vice President)
 ---157830 David C Hardesty Jr - (Director)
 ---158031 Louis Barletta Jr - (Vice President)
 ---158110 Stephanie L Gill - (Assistant Secretary)
 ---158150 Jimmy A Brock - (Senior Vice President)
 ---158360 Cecil L Delloma - (Vice President)
 ---158931 George F Rosato - (Vice President)
 ---246806 Donna A Spec - (Assistant Secretary)
 ---246814 Michael D McLean - (Vice President)
 ---247137 Steven E Winberg - (Vice President)
 ---247139 Charles T Shaynak - (Vice President)
 ---247471 Thomas O Johnson - (Vice President)
 ---248725 Stephen W Johnson - (General Counsel)
 ---248725 Stephen W Johnson - (Vice President)
 ---248744 William D Gillenwater - (Vice President)
 ---248745 Darryl M Husenits - (Vice President)
 ---248746 M Charles Hardoby - (Vice President)
 ---248747 Robert M Belesky - (Senior Vice President)
 ---248748 J Michael Onifer - (Senior Vice President)
 ---248777 David W Kelly - (Vice President)
 ---249573 Daniel Zajdel - (Vice President)
 ---250337 Cody S Whipperman - (Vice President)
 ---250342 Richard K Elswick - (Vice President)
 ---250343 Christopher Powell - (Vice President)
 ---250939 Brandon R Elliot - (Vice President)

Narrative 1/4/2011 Violations 1-18 are under Island Creek settlement. Linking entities are the evaluated permittee, etc. lk